

## **REMARKS**

Applicant is in receipt of the Office Action mailed May 28, 2004.

The examiner has acknowledged the substitution of claims 1-41 by amended claims 1, 13; 21, 29 and the addition of new claims 42-58 by the preliminary amendment filed on August 13, 2003. Claims 1-58 were presented for examination. Claims 1-58 are pending in the application.

Applicant has amended the title of the invention to more clearly and specifically describe the invention.

The drawings filed on February 14, 2002 were approved by the USPTO draftsperson.

### **Section 112 Rejection:**

Claims 13-20 and 47-49 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Examiner noted that as per previously presented claim 13, line 10, it was unclear as to where the “dock detect signal” was from. As per previously presented dependent claims 14-20 and 47-49, the claims incorporated the deficiencies of parent claim 13.

Claim 13 has been amended to more distinctly and accurately claim the subject matter. Accordingly, Applicant respectfully requests removal of the 35 U.S.C. § 112 rejection of claim 13 and its dependent claims.

### **35 U.S.C. § 103 Rejection:**

Claims 1, 4, 5-13, 16-21, 23-27, 29, 31-34 and 36-38 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 5,862,349 issued to Cho et al. in view of US Patent 6,519,669 issued to Yanagisawa.

Claims 2, 14, 22 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 5,862,349 issued to Cho et al. in view of US Patent 6,519,669 issued to Yanagisawa as applied to claim 1, and further in view of US Patent 6,336,158 issued to Martwick.

Claims 3, 15, 28 and 35 were rejected as being unpatentable over US Patent 5,862,349 issued to Cho et al. in view of US Patent 6,519,669 issued to Yanagisawa as applied to claim 1, and further in view of US Patent 6,725,320 issued to Barenys et al.

Applicant also notes herein that claims 42-58 were objected to as each claim being dependent upon a rejected base claim, and the Examiner stated that claims 42-58 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Examiner also stated that claims 42-58 were allowable over the prior art on record because they recite additional features in combination with the limitations in the respective parent claims which the prior art on record does not teach or fairly suggest.

Applicant has amended the claims to accept the allowable subject matter indicated in the prior Office Action.

Claim 1 has been amended to include the additional features recited in previously presented dependent claim 42, and subsequently claim 42 has been cancelled.

Claim 13 has been amended to include the additional features recited in previously presented dependent claim 47, and subsequently claim 47 has been cancelled.

Claim 21 has been amended to include the additional features recited in previously presented dependent claim 52, and subsequently claim 52 has been cancelled.

Claim 29 has been amended to include the additional features recited in previously presented dependent claim 54, and subsequently claim 54 has been cancelled.

Claim 46 has been rewritten in independent form including all of the limitations of its previously presented base claim 1, and is presented as new claim 59.

Claim 48 has been rewritten in independent form including all of the limitations of its previously presented base claim 13, and is presented as new claim 71.

Claim 53 has been rewritten in independent form including all of the limitations of its previously presented base claim 21, and is presented as new claim 79.

Claim 58 has been rewritten in independent form including all of the limitations of its previously presented base claim 29, and is presented as new claim 87.

Applicant therefore submits that currently amended claims are allowable over the prior art of record based on the allowable subject matter indicated in the Office Action.

**Allowed claims:**

Claims 39-41 were allowed.

## CONCLUSION


Applicant submits the application is in condition for allowance, and an early notice to that effect is requested.

If any extensions of time (under 37 C.F.R. § 1.136) are necessary to prevent the above referenced application(s) from becoming abandoned, Applicant(s) hereby petition for such extensions. If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 50-1505/5707-00400/JCH.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☒ Notice of Change of Address

Respectfully submitted,



---

Jeffrey C. Hood  
Reg. No. 35,198  
ATTORNEY FOR APPLICANT(S)

Meyertons, Hood, Kivlin, Kowert & Goetzel PC  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8800  
Date: 8/30/2004 JCH/TAK